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10/12/2006

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TO: Examiner T. S. Lau

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FROM: Paul B. Stephens

RE: USSN: 10/773,860 - Our Ref.: 30320/18023_US

PAGES (INCLUDING THIS PAGE): 15

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Expedited Procedure
Examining Group 2863

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via facsimile to the U.S. Patent and Trademark Office, to facsimile no. (571-273-6300) on the date shown below.

Dated: October 12, 2006

Signature:

Paul B. Stephens

Docket No.: 30320/18023
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of:
Rajesh Banginwar et al.

Application No.: 10/773,860

Confirmation No.: 7222

Filed: February 6, 2004

Art Unit: 2863

For: **METHOD AND APPARATUS FOR
PROFILING POWER PERFORMANCE OF
SOFTWARE APPLICATIONS**

Examiner: T. S. Lau

RESUBMITTED INFORMATION DISCLOSURE STATEMENT (IDS)MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the document listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the document be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement cites a previously-cited document sent on August 14, 2006. That document was cited as having a 1999 publication date. Subsequent to the filing, the Examiner requested confirmation of that publication date. In response, the Applicant resubmits the previous information disclosure statement citing the same reference, along with a copy of the on-line webpage from which Applicants' representatives ordered the publication. The webpage shows the citation for the document as: *Second IEEE Workshop on Mobile Computer Systems and Applications*, in 1999. This

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Application No.: 10/773,860

Docket No.: 30320/18023

citation corresponds to footnote [8] of the Flinn publication entitled "Energy-aware adaptation for mobile applications," cited by the examiner.

The copy of the publication ordered from the webpage does not include the publication date on its face. Therefore, Applicant's representatives have provided the best-known documentation of the publication date in the form of the webpage and corroboration by reference in the Flinn document cited by the Examiner.

A form PTO/SB/08 relisting the publication with the citation from the webpage is included for convenience sake.

Applicants also resubmit herewith a copy of the document in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information referred to therein is, or is considered to be, material to patentability or prior art.

In light of the payment accompanying the previous information disclosure statement filed on August 14, 2006 and in light of the Examiner's statements in the September 6, 2006 official action regarding the date of submission therefor, it is believe no fee is due. If, however, it is determined that a fee is due, then the Director is hereby authorized to charge our Deposit Account No. 13-2855, under Order No. 30320/18023. Further, the publication cited in this resubmission was not cited in any counterpart foreign application nor was it known to any individual designated in § 1.56(c) more than three months prior to the filing of this resubmitted information disclosure statement. A duplicate copy of this paper is enclosed.

Dated: October 12, 2006

Respectfully submitted,

By 

Paul B. Stephens

Registration No.: 47,970

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0851-0031

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/773,860-Conf. #7222
				Filing Date	February 6, 2004
				First Named Inventor	Rajesh Banginwar
				Art Unit	2863
				Examiner Name	T. S. Lau
				Attorney Docket Number	30320/18023
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Jason Flinn, M. Satyanarayanan, "PowerScope: A Tool for Profiling the Energy Usage of Mobile Applications," <i>wmcra</i> , p. 2, Second IEEE Workshop on Mobile Computer Systems and Applications, 1999.	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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